

**STIP**

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 Attorneys for Plaintiff  
 SANDRA TOCCI, Individually and  
 As Special Administrator of  
 The Estate of Frank E. Tocci

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

SANDRA TOCCI, as Special	)	
Administrator and Personal	)	CASE NO.: 2:21-cv-01302-GMN-NJK
Representative of the Estate of	)	
Frank E. Tocci, Deceased; and	)	
SANDRA TOCCI, as Heir and	)	
Mother of FRANK E. TOCCI,	)	
Deceased.	)	
	)	
Plaintiff,	)	
vs.	)	
	)	
CORECIVIC, INC., f/k/a/	)	
CORRECTIONS CORPORATION OF	)	
AMERICA; CORECIVIC OF	)	
TENNESSEE, LLC; BRIAN KOEHN,	)	
Warden, Nevada Southern	)	
Detention Center; WYATT	)	
PETERSON; DOE INDIVIDUALS I-X;	)	
ROE ENTITIES I-X, inclusive,	)	
	)	
Defendants.		

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COME NOW, counsel for Plaintiff, MICHAEL I. GOWDEY, ESQ.,

1 and counsel for Defendants, ASHLEE B. HESMAN, ESQ, and GINA G.  
2 WINSPEAR, ESQ., and hereby submit this Stipulation for Extension  
3 of Time for Plaintiff to File Opposition to Defendants' Motion  
4 to Dismiss.  
5

6 Defendants filed their motion on October 14, 2021. While  
7 Plaintiff's counsel received Defendant's Certificate of  
8 interested Parties, filed on the same date, via the PACER  
9 system, he did not receive the Motion to Dismiss. On October 26,  
10 2021, Plaintiff's counsel called Defendant's counsel to inquire  
11 whether a responsive pleading had been filed, and was told the  
12 Motion to Dismiss had been filed. Plaintiff's counsel went back  
13 through his email, and found the document located in his SPAM  
14 folder. Plaintiff's counsel has long done federal work, and  
15 documents served via PACER are specifically designated as "not  
16 SPAM" within his email, so counsel is definitely confused as to  
17 how this occurred.  
18

19  
20 Plaintiff's Opposition is currently calendared for October  
21 28, 2021. Counsel for all Plaintiffs and Defendants hereby  
22 stipulate to extend the time for Plaintiff's counsel to file the  
23 Opposition to November 11, 2021. Pursuant to stipulation,  
24 Defendants' time to file their Reply Brief, should they desire,  
25 will not begin to run until Plaintiff has filed her Opposition.  
26  
27  
28

1 It is so Stipulated.

2  
3 /s/ Michael I. Gowdey  
4 Michael I. Gowdey, Esq.  
5 Nevada Bar No. 6994  
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11 Dated: October 26, 2021

/s/ Ashlee B. Hesman  
Ashlee B. Hesman, Esq.  
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Dated: October 26, 2021

12 /s/ Gina G. Winspear, Esq.  
13 Gina G. Winspear, Esq.  
14 Nevada bar No. 005552  
15 DENNETT WINSPEAR, LLP  
16 3301 N. Buffalo Dr. Ste. 195  
17 Las Vegas, NV 89129  
18 (702) 839-1100  
19 [GWinspear@dennettwinspear.com](mailto:GWinspear@dennettwinspear.com)

20 Dated: October 26, 2021

21 **ORDER**

22 GOOD CAUSE having been shown, it is hereby Ordered that  
23 time for filing of Plaintiff's Opposition to Defendants' Motion  
24 to Dismiss shall be extended to November 11, 2021.

25 IT IS SO ORDERED.

26 Dated this 28 day of October, 2021.

27   
28 Gloria M. Navarro, District Judge  
UNITED STATES DISTRICT COURT